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Disclosing Data Harms U.S., General Says

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LOS ANGELES, Jan. 23—The senior military member of the Defense Department task force that compiled the top-secret Pentagon Papers testified today that their disclosure would be "of use to a foreign nation."

Brig. Gen. Paul F. Gorman said the documents, published by The Washington Post, The New York Times and other newspapers in June, 1971, would be useful "to augment the intelligence of a foreign country" and "to influence international relations."

Testifying as a prosecution witness in the trial of Daniel Ellsberg and Anthony J. Russo Jr.—who are charged with conspiracy, espionage and theft of government property in connection with disclosure of the documents—Gorman said that "in the hands of another country (the Pentagon Papers) could be used to shape, direct and block channels of international communication."

If a foreign "intelligence analyst" were to get hold of the documents, Gorman said, "he would be able to derive from these volumes a great deal of information."

Prodded by chief prosecutor David R. Nissen, Gorman said that no one single volume—for example, from the diplomatic section of the Pentagon Papers that Ellsberg allegedly held back from the press—would be more useful to a foreign nation than any other.

"A foreign analyst would find the entire body of material far more useful than any part of it," the general testified.

Gorman, who was second-in-command to Leslie Gelb, a political scientist then working for the Defense Department who was in charge of compil-

ing the Pentagon Papers, is part of the prosecution effort to show that disclosure of the study was sensitive to the national defense.

That is exactly the point the Justice Department failed to prove in 1971 during its unsuccessful attempt to persuade the federal courts to restrain the newspapers from publishing articles based on the Pentagon Papers.

A key distinction, however, is that the evidence in the trial here must relate to the potential damage from disclosure in 1969, at the time of Ellsberg's and Russo's alleged illegal conspiracy, rather than 1971.

The charges against Ellsberg and Russo do not involve the actual distribution of the papers to the news media, but their earlier "theft" and duplication. They involve as well the showing of the papers to people "not entitled" to see them under the terms of their top-secret security classification.

Gorman, who worked on compilation of the Pentagon Papers for about a year and then left to join the American mission at the Paris peace talks, is now assistant commander of the Fourth Infantry Division at Fort Carson, Colo.

Gorman's testimony was the occasion for the first formal introduction into evidence of the 18 volumes of the Pentagon Papers involved in the indictment against Ellsberg and Russo, including the four most sensitive "diplomatic" volumes.

Articles based on the diplomatic volumes also appeared in The Washington Post, but their introduction into evidence meant that they have,

in effect, been declassified and are available for public scrutiny.

Ironically, Gorman, in his testimony, did what Ellsberg has been trying to do for almost three years—stress the importance of the Pentagon Papers as "a comprehensive look at the involvement of the United States in the war in Southeast Asia."

The army general explained that the papers include discussions of "arrangements to increase and decrease U.S. forces in the operational theater" and "tell all about what the United States attempted to do, what was visible to the government in Washington at the highest level."

Any foreign analyst who saw them, Gorman said, would immediately understand their significance because they bear "the highest classification that this government has, 'top secret—sensitive.'"

As assistant prosecutor Richard Barry flashed slides on a courtroom screen, Gorman cited specific passages that provided details of American intelligence efforts.

Ellsberg's and Russo's attorneys were unsuccessful in their attempts to narrow the scope of Gorman's testimony.

Earlier, the defense completed its cross-examination of Lt. Gen. William G. DePuy, assistant to the Army vice chief of staff.

DePuy acknowledged that he had not been aware that several books included details that were part of another top-secret document involved in the case, a 1963 report by Gen. Earle C. Wheeler, then chairman of the Joint Chiefs of Staff, evaluating the effects of the Vietnamese Communists' 1968 Tet offensive.

But DePuy insisted that the difference between the Wheeler report and publicly available materials was like that "between day and night."